

1 HB542
2 176423-2
3 By Representative McClammy
4 RFD: Judiciary
5 First Read: 13-APR-16

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8 SYNOPSIS: This bill would require a court to order a
9 defendant convicted of a traffic violation who is
10 unable to make payment of a fine, penalty, or court
11 cost within 30 days of sentencing to make payments
12 through a deferred payment or installment agreement
13 or to perform community service as a means of
14 satisfying the debt.

15 This bill would prohibit the suspension or
16 revocation of the driver's license of a defendant
17 who is making timely payments in accordance with
18 his or her deferred payment or installment
19 agreement or performing community service in
20 accordance with his or her community service
21 agreement.

22 This bill would also prohibit the suspension
23 or revocation of the driver's license of a
24 defendant solely on the grounds of a failure to
25 appear in connection with a traffic violation.
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27 A BILL

1 TO BE ENTITLED

2 AN ACT

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4 Relating to driver's licenses; to require a court to
5 order a defendant convicted of a traffic violation who is
6 unable to make payment of a fine, penalty, or court cost
7 within 30 days of sentencing to make payments through a
8 deferred payment or installment agreement or to perform
9 community service as a means of satisfying the debt; to
10 prohibit the suspension or revocation of the driver's license
11 of a defendant who is making timely payments in accordance
12 with his or her deferred payment or installment agreement or
13 performing community service in accordance with his or her
14 community service agreement; and to prohibit the suspension or
15 revocation of the driver's license of a defendant solely on
16 the grounds of a failure to appear in connection with a
17 traffic violation.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) Whenever a defendant convicted of a
20 traffic infraction is sentenced to pay a fine, penalty, or
21 court cost, and the defendant is unable to make payment of the
22 fine, penalty, or court cost within 30 days of sentencing, the
23 court shall order the defendant to pay the fine, penalty, or
24 court cost in deferred payments or installments or to perform
25 community service as a means of payment. The court may
26 authorize the clerk to establish and approve the conditions of
27 all deferred payment or installment agreements or community

1 service agreements pursuant to guidelines established by the
2 court. As a condition of the agreement, a defendant who enters
3 into a payment or installment agreement or community service
4 agreement shall promptly inform the court of any change of
5 mailing address during the term of the agreement. The court
6 may assess a one-time fee not to exceed ten dollars (\$10) to
7 cover the costs of management of the defendant's account until
8 the account is paid in full.

9 (b) When a court has authorized a deferred payment
10 or installment agreement or community service agreement in
11 accordance with this section, the driver's license of the
12 defendant may not be suspended or revoked, provided the
13 defendant is making timely payments or performing community
14 service in accordance with his or her agreement.

15 Section 2. A defendant's driver's license may not be
16 suspended or revoked solely on the grounds of a failure to
17 appear in connection with a traffic violation.

18 Section 3. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.